

Nos. 23-13914, 23-13916 & 23-13921

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**In the United States Court of Appeals  
for the Eleventh Circuit**

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ALPHA PHI ALPHA FRATERNITY, INC. et al.,  
*Plaintiffs-Appellees,*

COAKLEY PENDERGRASS et al.,  
*Plaintiffs-Appellees,*

ANNIE LOIS GRANT et al.,  
*Plaintiffs-Appellees,*

v.

SECRETARY OF STATE OF GEORGIA,  
*Defendant-Appellant.*

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On Appeal from the United States District Court  
for the Northern District of Georgia  
Nos. 1:21-cv-05337, 1:21-cv-05339, 1:22-cv-00122—Steve C. Jones, Judge

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**APPELLEES' JOINT MOTION FOR ADDITIONAL TIME  
FOR ORAL ARGUMENT**

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## **CERTIFICATE OF INTERESTED PERSONS AND CORPORATE DISCLOSURE STATEMENT**

Pursuant to Federal Rule of Appellate Procedure 26.1 and Circuit Rule 26.1, Plaintiffs-Appellees in No. 23-13916 certify that no publicly held corporation or company has an interest in the outcome of this case.

Plaintiffs-Appellees in No. 23-13921 certify that no publicly held corporation or company has an interest in the outcome of this case.

Plaintiffs-Appellees in No. 23-13914 certify that no publicly traded company or corporation has an interest in the outcome of this case or appeal.

Appellees further certify that the following have an interest in the outcome of this case:

1. Albert M. Pearson LLC, *Counsel for Amicus Curiae*
2. Allensworth, Robert M., *Attempted Amicus Curiae*
3. Alpha Phi Alpha Fraternity, Inc., *APA Plaintiff\**
4. Adegbile, Debo, *Counsel for APA Plaintiffs*
5. Allen, De’Ericka, *Counsel for APA Plaintiffs*
6. American Civil Liberties Union Foundation, Inc., *Counsel for APA Plaintiffs*

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\* Plaintiffs-Appellees in No. 23-13914 are referred to as “APA Plaintiffs.” Plaintiffs-Appellees in No. 23-13916 are referred to as “Pendergrass Plaintiffs.” Plaintiffs-Appellees in No. 23-13921 are referred to as “Grant Plaintiffs.”

7. Arbuthnot, Jacqueline Faye, *Grant Plaintiff*
8. Bokat-Lindell, Noah B., *Counsel for Intervenor*
9. Boone, Robert, *Counsel for APA Plaintiffs*
10. Bowles, Jasmine, *Amicus Curiae*
11. Bowen, Brennan, *Counsel for Amicus Curiae*
12. Boyle, Jr., Donald P., *Counsel for Defendant*
13. Brown, Phil, *APA Plaintiff*
14. Brown, Theron, *Former Grant Plaintiff*
15. Buchanan, Ryan J., *Counsel for Intervenor*
16. Bush, Jacquelyn, *Grant Plaintiff*
17. Calvo-Friedman, Jennessa, *Former Counsel for APA Plaintiffs*
18. Carr, Christopher M., *Counsel for Defendant*
19. Cheung, Ming, *Counsel for APA Plaintiffs*
20. Clarke, Kristen, *Counsel for Intervenor*
21. Common Cause, *Amicus Curiae*
22. Conner, Mary Nell, *Grant Plaintiff*
23. Crowell & Moring LLP, *Counsel for Amicus Curiae*
24. Data, Sonika, *Counsel for APA Plaintiffs*
25. Draper, Paul, *Former Counsel for Defendant*
26. Georgia Department of Law, *Counsel for Defendant*

27. Davis, Alexander S., *Counsel for Amicus Curiae*
28. Dechert LLP, *Counsel for Amicus Curiae*
29. DiGiuseppe, Marisa A., *Counsel for APA Plaintiffs*
30. Dixit, Anuj, *Counsel for APA Plaintiffs*
31. Douglas, Maura, *Counsel for APA Plaintiffs*
32. Duffey, Jr., William S., *Former Defendant*
33. Election Law Clinic at Harvard Law School, *Amicus Curiae*
34. Elias Law Group LLP, *Counsel for Grant and Pendergrass Plaintiffs*
35. Fair Districts GA, *Amicus Curiae*
36. Flynn, Erin H., *Counsel for Intervenor*
37. Ford, Christina A., *Counsel for Grant and Pendergrass Plaintiffs*
38. Freeman, Daniel J., *Counsel for Intervenor*
39. GALEO Latino Community Development Fund, Inc., *Amicus Curiae*
40. Garabadu, Rahul, *Former Counsel for APA Plaintiffs*
41. Geaghan-Breiner, Charlotte, *Counsel for APA Plaintiffs*
42. Geiger, Soren, *Counsel for Amicus Curiae*
43. Genberg, Jack, *Counsel for Amicus Curiae*
44. Georgia Coalition for the People's Agenda, *Amicus Curiae*
45. Georgia State Conference of the NAACP, *Amicus Curiae*
46. Ghazal, Sara Tindall, *Former Defendant*

47. Glaze, Ojuan, *Pendergrass Plaintiff*
48. Glenn, Katie Bailey, *APA Plaintiff*
49. Glenn, Kenneth, *Proposed Plaintiff-Appellee*
50. Grant, Annie Lois, *Grant Plaintiff*
51. Graves, Cheryl, *Amicus Curiae*
52. Greenbaum, Jon, *Counsel for Amicus Curiae*
53. Greenwood, Ruth M., *Counsel for Amicus Curiae*
54. Hamilton, Kevin J., *Former Counsel for Grant and Pendergrass Plaintiffs*
55. Harrison, Keith, *Counsel for Amicus Curiae*
56. Hawley, Jonathan P., *Former Counsel for Grant and Pendergrass Plaintiffs*
57. Heard, Bradley E., *Counsel for Amicus Curiae*
58. Heaven, Astor H.L., *Counsel for Amicus Curiae*
59. Hennington, Elliott, *Pendergrass Plaintiff*
60. Hessel, Daniel J., *Counsel for Amicus Curiae*
61. Houk, Julie M., *Counsel for Amicus Curiae*
62. Howell, Quentin T., *Grant Plaintiff*
63. Hughes, Aileen Bell, *Counsel for Intervenor*
64. Isaacson, Cory, *Counsel for APA Plaintiffs*

65. Ivey, Marvis McDaniel, *Amicus Curiae*
66. Jacoutot, Bryan F., *Counsel for Defendant*
67. Jackson, Toni Michelle, *Counsel for Amicus Curiae*
68. James, Triana Arnold, *Grant and Pendergrass Plaintiff*
69. Jamieson, Nathan, *Counsel for Amicus Curiae*
70. Johnston, Janice W., *Former Defendant*
71. Jones, Michael B., *Former Counsel for Grant and Pendergrass Plaintiffs*
72. Jones, Steve C., *U.S. District Judge for the Northern District of Georgia*
73. Kastorf Law LLP, *Counsel for Amicus Curiae*
74. Kastorf, Kurt, *Counsel for Amicus Curiae*
75. Khanna, Abha, *Counsel for Grant and Pendergrass Plaintiffs*
76. Kim, Eliot, *Former Counsel for APA Plaintiffs*
77. Kim, Taeyoung, *Counsel for APA Plaintiffs*
78. Krevolin & Horst, LLC, *Counsel for Grant and Pendergrass Plaintiffs*
79. LaCour, Edmund Gerard, Jr., *Counsel for Amicus Curiae*
80. Lakin, Sophia Lin, *Counsel for APA Plaintiffs*
81. LaRoss, Diane F., *Counsel for Defendant*



82. Lawyers' Committee for Civil Rights Under Law, *Counsel for Amicus Curiae*
83. Le, Anh, *Former Defendant*
84. League of Women Voters of Georgia, *Amicus Curiae*
85. Lee, Theresa J., *Counsel for Amicus Curiae*
86. Lewis, Joyce Gist, *Counsel for Grant and Pendergrass Plaintiffs*
87. Lindsey, Edward, *Former Defendant*
88. Love-Olivo, Cassandra Nicole, *Counsel for Amicus Curiae*
89. Mashburn, Matthew, *Former Defendant*
90. May, Caitlyn Felt, *Counsel for APA Plaintiffs*
91. McGowan, Charlene, *Former Counsel for Defendant*
92. Miller, Alex W., *Counsel for APA Plaintiffs*
93. Miller, Kelsey A., *Counsel for APA Plaintiffs*
94. Mitchell, Cassandra, *Counsel for APA Plaintiffs*
95. National Republican Redistricting Trust, *Amicus Curiae*
96. O'Donnell, Courtney, *Counsel for Amicus Curiae*
97. Osher, Daniel C., *Former Counsel for Grant and Pendergrass Plaintiffs*
98. Paradise, Loree Anne, *Former Counsel for Defendant*
99. Pearson, III, Albert Matthews, *Counsel for Amicus Curiae*
100. Pendergrass, Coakley, *Pendergrass Plaintiff*

101. Perkins Coie LLP, *Former Counsel for Grant and Pendergrass Plaintiffs*
102. Perkins, Brianne, *Amicus Curiae*
103. Petrany, Stephen J., *Counsel for Defendant*
104. Raffensperger, Brad, *Defendant*
105. Reynolds, Garrett, *Grant Plaintiff*
106. Richards, Roberts, *Pendergrass Plaintiff*
107. Rollins-Boyd, David, *Counsel for Amicus Curiae*
108. Rosenberg, Ezra D., *Counsel for Amicus Curiae*
109. Rueckert, Jens, *Pendergrass Plaintiff*
110. Ruiz Toro, Juan M., *Counsel for APA Plaintiffs*
111. Rutahindurwa, Makeba, *Counsel for Grant and Pendergrass Plaintiffs*
112. Savitsky, Ari J., *Counsel for APA Plaintiffs*
113. Shaw, Abigail, *Former Counsel for APA Plaintiffs*
114. Sivaram, Anuradha, *Former Counsel for APA Plaintiffs*
115. Sixth District of the African Methodist Episcopal Church, *APA Plaintiff*
116. Solomon, Elbert, *Grant Plaintiff*
117. Southern Poverty Law Center, *Counsel for Amicus Curiae*
118. Sparks, Adam M., *Counsel for Grant and Pendergrass Plaintiffs*
119. Smith, Casey Katherine, *Former Counsel for APA Plaintiffs*

120. Steiner, Neil, *Counsel for Amicus Curiae*
121. Stewart, Janice, *APA Plaintiff*
122. Stewart, Michael Elliot, *Counsel for Intervenor*
123. Strickland, Frank B., *Counsel for Defendant*
124. Sullivan, Rebecca N., *Former Defendant*
125. Sykes, Eunice, *Grant Plaintiff*
126. Taylor English Duma LLP, *Counsel for Defendant*
127. Thomas, Ursula, *Amicus Curiae*
128. Tolbert, Elroy, *Grant Plaintiff*
129. Torchinsky, Jason, *Counsel for Amicus Curiae*
130. Tsai, Denise, *Counsel for APA Plaintiffs*
131. Tyson, Bryan P., *Counsel for Defendant*
132. United States of America, *Intervenor*
133. Varghese, George P., *Counsel for APA Plaintiffs*
134. Vaughan, Elizabeth Marie Wilson, *Former Counsel for Defendant*
135. Webb, Bryan K., *Counsel for Defendant*
136. Weigel, Daniel H., *Counsel for Defendant*
137. Weitzman, Samuel, *Former Counsel for APA Plaintiffs*
138. White, Graham, *Former Counsel for Grant and Pendergrass Plaintiffs*
139. Willard, Russell D., *Counsel for Defendant*

- 140. Williams, Ayana, *Former Counsel for APA Plaintiffs*
- 141. Williams, H. Benjamin, *Amicus Curiae*
- 142. Williams, Edward Henderson, *Former Counsel for APA Plaintiffs*
- 143. Wilmer Cutler Pickering Hale and Dorr LLP, *Counsel for APA Plaintiffs*
- 144. Wimbish, Dexter, *Grant Plaintiff*
- 145. Woods, Eric T., *APA Plaintiff*
- 146. Young, Sean Jengwei, *Former Counsel for APA Plaintiffs*
- 147. Zabel, Joseph D., *Former Counsel for APA Plaintiffs*

Dated: January 8, 2025

Respectfully submitted,

By /s/ Abha Khanna  
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23-13916 & 23-13921*

/s/ Sophia Lin Lakin  
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23-13914*

/s/ Noah B. Bokat-Lindell  
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## **MOTION FOR ADDITIONAL TIME FOR ORAL ARGUMENT**

Appellees in the above-captioned consolidated cases respectfully move the Court to grant each side an additional five minutes to present oral argument at the hearing scheduled for January 23, 2025, for a total of 20 minutes of argument time per side. In support of this Motion, Appellees state:

1. On November 13, 2024, the Court scheduled oral argument for three cases covering three separate redistricting maps and consolidated them for purposes of the argument. *See* Doc. 131-2 (setting oral argument on January 23, 2025 for 23-13914, *Alpha Phi Alpha Fraternity, Inc., et al. v. Secretary, State of Georgia, Appellant* (Consolidated with 23-13916, *Coakley Pendergrass, et al. v. Secretary, State of Georgia, Appellant* and 23-13921, *Annie Lois Grant, et al. v. Secretary, State of Georgia, Appellant*)). The Court granted fifteen minutes of argument per side. *Id.*

2. While the cases are similar in that they each relate to the legality of Georgia's congressional and legislative redistricting maps, the Alpha Phi Alpha Plaintiffs-Appellees are represented by different counsel than the Grant Plaintiffs-Appellees and Pendergrass Plaintiffs-Appellees, and each group brought distinctive arguments and theories to prove their cases.

3. Moreover, because the constitutionality of Section 2 of the Voting Rights Act was called into question, the district court certified the question to the

Attorney General under 28 U.S.C. § 2403(a) and the United States intervened in these cases to represent its interests defending the constitutionality of Section 2. Doc. 51 at 6. The United States submitted briefs in these appeals and intends to participate in oral argument as Intervenor-Appellee.

4. Accordingly, there are four parties with distinct interests at stake participating in oral argument on the side of Appellee. Although Appellees do not intend to duplicate each other's arguments or repeat every argument set forth in their respective briefs, Appellees request this additional time to ensure that each set of Appellees has adequate time to present their arguments to the Court, to respond to Appellant's arguments, and to address any questions the Court may have to resolve the important issues before it.

5. Granting this motion would not prejudice the State, as the State would likewise receive 20 minutes of argument time under the proposed allocation.

6. Undersigned counsel conferred with counsel for the State and they oppose this motion.

WHEREFORE, Appellees respectfully request that this Court grant five additional minutes per side, for a total of 20 minutes of argument time per side for oral argument.

Dated: January 8, 2025

Respectfully submitted,

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*Counsel for Intervenor-Appellee United States*



### **CERTIFICATE OF COMPLIANCE**

This motion complies with the type-volume limitations of Fed. R. App. P. 27(d)(2), as it contains 367 words, excluding those parts exempted by 11th Cir. Local R. 32-4.

This motion complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6), as the brief has been prepared in a proportionally spaced typeface using Microsoft Word Times New Roman 14-point font.

Dated: January 8, 2025

/s/ Abha Khanna

*Counsel for Plaintiffs-Appellees in  
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**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that, on January 8, 2025, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

Dated: January 8, 2025

/s/ Abha Kanna  
*Counsel for Plaintiffs-Appellees in*  
*Nos. 23-13916 & 23-13921*